

(4) HAVE AT LEAST 10 YEARS OF COMMISSIONED FIELD GRADE SERVICE IN THE MARYLAND NATIONAL GUARD;

(5) HAVE ATTAINED AT LEAST THE RANK OF COLONEL; AND

[(3)] (6) Perform such military duties as may be assigned by the Governor or by the Adjutant General.

(d) The Adjutant General[, the Assistant Adjutant General for Army, and the Assistant Adjutant General for Air each] shall:

(1) Have at least [5] 10 years of commissioned FIELD GRADE service in the Maryland National Guard;

(2) Have attained at least the rank of [Lieutenant] Colonel; AND

(3) [Have not been separated from the Maryland National Guard for more than 5 years before the date of appointment; and

(4)] Meet the requirements for federal recognition at the rank [appointed] OF MAJOR GENERAL AT THE TIME OF APPOINTMENT.

(e) The Adjutant General, the Assistant Adjutants General, officers, warrant officers, and enlisted [men] PERSONS who are full-time employees of the Military Department are military personnel in an active duty status. They shall be entitled to receive the same per diem pay, including longevity pay, subsistence and allowances, as officers, warrant officers and enlisted [men] PERSONS of like grades and length of service in the regular army or air force, as the case may be. Subsistence and allowances shall be accorded the same treatment for income tax purposes under the laws of this State as granted by the United States Internal Revenue Code, and regulations promulgated thereunder for federal income tax purposes; and such subsistence and allowances shall not be used in calculating the salary base for retirement purposes for any employee who is a member of the Employees' Retirement System of the State of Maryland.

(f) An individual who holds more than one of the above-mentioned offices simultaneously shall receive only the pay allowances and subsistence provided herein for a single office.

[(g)] The Governor may choose a staff consisting of the Adjutant General, and not more than twelve aides. The aides will be selected by the Governor from among the commissioned officers of the National Guard and naval militia. Each of them may receive an appointment as aide, which however, shall not add to the actual grade of the officer so appointed; nor shall such officer be relieved from duty with the organization to which he is assigned, except when actually on duty as aide under the orders of the Governor.]

[(h)](G) The appointment of a chief of staff and aides shall be at the pleasure of the Governor.

[(i)] (H) A Deputy Assistant Adjutant General for Army shall be appointed by the Governor and [his term of office shall be at the pleasure of the Governor] SERVE